**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929**

**WP(C).No. 15830 of 2004(H)**

**PETITIONERS:**

1. **K.PREMKUMAR,**
   **HIGHER SECONDARY SCHOOL TEACHER, G.H.S.S.,**
   **EDATHANATTUKARA, PALAKKAD.**

2. **MURUKAN K.,**
   **HIGHER SECONDARY SCHOOL TEACHER, G.H.S.S.,**
   **CHERPU, THRISSUR.**

3. **USHANANDINI R.,**
   **HIGHER SECONDARY SCHOOL TEACHER, G.H.S.S.,**
   **MUTHALAMADA, PALAKKAD.**

4. **S.MAHALINGAM,**
   **HIGHER SECONDARY SCHOOL TEACHER, G.H.S.S.,**
   **PATTAMBI, PALAKKAD.**

5. **NALINAKUMARI V.,**
   **HIGHER SECONDARY SCHOOL TEACHER,G.H.S.S. FOR GIRLS**
   **ERNAKULAM.**

**BY ADV. SRI.K.RAMAKUMAR,**
**SRI.T.RAMPRASAD UNNI.**

**RESPONDENTS:**

1. **STATE OF KERALA,**
   **REPRESENTED BY THE SECRETARY TO GOVERNMENT,**
   **DEPARTMENT OF GENERAL EDUCATION, GOVT. OF KERALA,**
   **THIRUVANANTHAPURAM.**

**W.P.(C). NO.15830/2004:**

**2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
POOJAPPURA, THIRUVANANTHAPURAM.**

**BY GOVT. PLEADER SRI. MANOJ. K.V.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C). NO.15830/2004:**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P.1: COPY OF THE PROCEEDINGS OF THE DIRECTOR OF HIGHER SECONDARY EDUCATION, THIRUVANANTHAPURAM, ORDER NO. A2-187/91 (1)/HSE DTD. 07/12/1991 APPOINTING THE P.3.**

**EXT.P.2: COPY OF THE ORDER NO. A1-47197/90/DPI DTD. 25/09/1990 APPOINTING THE P.4. AS HIGHER SECONDARY SCHOOL TEACHER.**

**EXT.P.3: COPY OF THE CIRCULAR DTD. 25/04/1992 ISSUD BY THE R.2. ALLOWING CONTINUANCE OF HIGHER SECONDARY TEACHERS APPOINTED THROUGH EMPLOYMENT EXCHANGES UNTIL FURTHER ORDERS.**

**EXT.P.4: COPY OF THE GOVERNMENT ORDER G.O. MS. 173/95/G. EDN. DTD. 01/06/1995 FIXING SCALE OF PAY TO HIGHER SECONDARY SCHOOL TEACHERS.**

**EXT.P.5: COPY OF THE REPRESENTATION SUBMITTED BY THE P.4. TO THE R.2. DTD. 13/01/2003.**

**EXT.P.6: COPY OF THE REPRESENATION SUBMITTED BY THE PETITIONERS BEFORE THE R.2. DT. 20/10/2003.**

**EXT.P.7: COPY OF THE ORDER NO. ACD:B1/8779/HSE/2003 DTD. 27/02/2004 OF THE DIRECTOR OF HIGHER SECONDARY EDUCATION, THIRUVANANTHAPURAM.**

**RESPONDENT'S EXHIBITS: NIL.**

**//TRUE COPY//**

**prv.**

**KURIAN JOSEPH, J.**

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**W.P. (C). NO. 15830 OF 2004**

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**Dated this the 18th day of July, 2007.**

**J U D G M E N T**

This writ petition is filed with the following prayers:

> i) To declare that the petitioners are entitled to get the benefit of Exhibit P4 from 07.04.1992.
>
> ii) To direct the respondents to disburse the arrears of salary payable to the petitioners as per Exhibit P4 from 07.04.1992 to 01.06.1995 immediately without any delay, with 18% interest per annum by issuing a writ of mandamus.
>
> iii) To direct the respondents to consider Exhibit P5 representation and to allow the claims raised by the petitioners.

2. There is no counter affidavit. It is seen that the petitioners have submitted Exhibits P5 and P6 representations before the second respondent. In case no action has been taken in the matter, petitioners may produce a copy of this judgment before the second respondent, in which case, the matter will be duly considered by the second respondent with notice to the petitioners and appropriate action in accordance with law will be taken within a period of another four months.

This writ petition is disposed of as above.

**KURIAN JOSEPH, JUDGE.**

smp